

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT LYNCHBURG, VA
FILED

AUG 18 2009

JOHN F. CORCORAN, CLERK
BY: *Fay Coleman*
DEPUTY CLERK

MOLLY S. BILLINGS,

Plaintiff,

v.

STONEWALL JACKSON HOSPITAL, ET AL.,

Defendants.

CIVIL No. 6:08cv00010

ORDER

JUDGE NORMAN K. MOON

This matter is before the Court on the parties' cross-motions for summary judgment (docket no.s 48 and 55), the Report and Recommendations (the "Report") of the Magistrate Judge (docket no. 77), and both parties' objections thereto. In the Report, U.S. Magistrate Judge Urbanski recommended that both motions for summary judgment be denied, and that this case be set for trial. Both parties timely objected to numerous findings of fact and conclusions of law in the Report. A district judge must review de novo any part of the magistrate judge's decision that is timely objected to by either party. Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(C).

I have reviewed the entire record in this case, the Magistrate Judge's Report and Recommendations, and the objections of the parties. Having considered de novo the portions of the Report to which objections were timely filed, I find no error in the Report. The objections of both parties are hereby OVERRULED, for the reasons stated in the Report. Because I concur with and adopt the reasoning of the Report entirely, I find it unnecessary to issue a separate written opinion.

Accordingly, I hereby **ADOPT** the Report in its entirety, and **DENY** both motions for summary judgment. The parties shall contact this Court's scheduling clerk within 10 days of the date of entry of this Order to set a new date for trial.

It is so ORDERED.

The Clerk of the Court is hereby directed to send a certified copy of this Order to all counsel of record.

ENTERED: This 18th Day of August, 2009.


NORMAN K. MOON
UNITED STATES DISTRICT JUDGE